

Message Text

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64

ACTION AGR-10

INFO OCT-01 ARA-10 ISO-00 EB-07 COME-00 TRSE-00 FEA-01

CEA-01 CIAE-00 DODE-00 FRB-01 H-02 INR-07 INT-05 L-03

LAB-04 NSAE-00 NSC-05 PA-02 AID-05 CIEP-02 SS-15

STR-04 TAR-01 USIA-15 PRS-01 SP-02 OMB-01 /105 W

----- 006154

R 171536Z SEP 75

FM AMEMBASSY GUATEMALA

TO SECSTATE WASHDC 8184

UNCLAS GUATEMALA 5030

EO 11652: NA

TAGS: BEXP, EAGR, GT

SUBJ: INCLUSION OF PRODUCT ON PREFERENCE LIST

REF: STATE 214229

1. APPRECIATE ADVICE ON CLASSIFICATION MACADAMIA NUTS
AND INDICATION THAT PROCESSED PRODUCT OF HAWAIIAN AGRONO-
MICS (GUATEMALA) WOULD COME UNDER TSUS ITEM 14560.

2. WOULD NOW BE GRATEFUL FOR RULE ON APPLICABILITY OF SECTION
504 (C) (1)(B) TO PROSPECTIVE CASE AT HAND. IF PRO-
CESSED MACADAMIA NUTS COME INTO US FROM GUATEMALA UNDER
TSUS 14560 TOTALLY EXEMPTED FROM CURRENT 28 PC AD VALOREM
TAX, THEY MAY CONSTITUTE SOLE IMPORT OF THIS TYPE OF NUT,
MAY INSTANTANEOUSLY EXCEED "50PERCENT OF APPRAISED VALUE OF
TOTAL IMPORTS OF SUCH ARTICLES INTO US DURING ANY CALENDAR
YEAR", AND MAY THEREFORE TRIGGER SUSPENSION OF PREFERENCE
THE FOLLOWING YR. OR TO DO THIS MUST MACADAMIA NUTS
EXCEED 50 PERCENT OF APPRAISED VALUE OF ALL IMPORTS INCLUDING
OTHER NUTS UNDER TSUS 14560? IF SO, PLS ADVISE LATEST-
YR VALUE SUCH IMPORTS.

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3. SUSPENSION OF PREFERENCES UNDER 50 PERCENT CRITERION NEED NOT OCCUR HOWEVER, ACCORDING SECTION 504 (D), IF "LIKE OR DIRECTLY COMPETITIVE ARTICLE IS NOT PRODUCED ON DATE OF ENACTMENT OF TRADE ACT IN US". MACADAMIA NUTS ARE PRODUCED IN US, BUT SINCE THEY ARE NOT PRODUCED IN SUFFICIENT QUANTITY TO MEET DEMAND, COULD MACADAMIA NUTS FROM ABROAD BE LOOKED UPON AS NOT "DIRECTLY COMPETITIVE"? IN CASE AT HAND, MOTHER COMPANY HAWAIIAN AGRONOMICS PRODUCES MACADAMIA NUTS IN HAWAII, AND SIMULTAEOUSLY HERE IN GUATEMALA SUBSIDIARY WISHES TO PRODUCE FOR EXPORT TO US. CLEARLY A "NOT COMPETITIVE" SITUATION.

4. IF 50 PC CRITERION STILL WOULD BE APPLIED, IS THERE NO RULE OF REASON THAT MIGHT COME INTO EFFECT WITH REGARD TO A MINOR PRODUCT, IMPORT OF WHICH INTO US WILL NEVER BULK LARGE. WAS THERE ANY CONGRESSIONAL INTENT TO APPLY 50 PC CUT-OFF ONLY TO IMPORTS OF SOME ECONOMIC SIGNIFICANCE, WHICH HAVE EFFECT ON US INDUSTRY WHICH MIGHT THEN BE OPPOSED TO CONTINUED PREFERENTIAL TREATMENT FOR SUCH IMPORTS FROM SINGLE COUNTRY?
MELOY

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Message Attributes

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Copy: SINGLE
Draft Date: 17 SEP 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750322-0736
From: GUATEMALA
Handling Restrictions: n/a
Image Path:
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Legacy Key: link1975/newtext/t19750944/aaaabnaz.tel
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Margaret P. Grafeld
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Subject: INCLUSION OF PRODUCT ON PREFERENCE LIST
TAGS: BEXP, EAGR, EPAP, ETRD, NUTS, GT
To: STATE
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